

**LITTLE McDONALD-KERBS-PAUL & DEVILS LAKE  
MORATORIUM AND PERMIT FACT SHEET**

**HISTORY**

In the fall of 2018, the long awaited outlet project for Little McDonald Lake, Kerbs Lake, Paul Lake and Devils Lake was started to draw down the water level of those four lakes to their ordinary high-water level (OHWL). Lake levels have been closely monitored since.

**MORATORIUM**

September 25, 2018, the Otter Tail County Board of Commissioners passed a resolution establishing a moratorium on all shoreline restoration activities on Little McDonald Lake, Kerbs Lake, Paul Lake and Devils Lake until each lake is at its respective ordinary high-water level. The resolution also allows property owners on these lakes to circumvent planning commission approval for restoration of exposed shoreline and can simply get a permit directly from the Land and Resource Management office.

The purpose of this fact sheet is to detail what types of permits may be required for shoreline restoration on Little McDonald Lake, Kerbs Lake, Paul Lake and Devils Lake once each lake is at its OHWL, and what agency from which the permit must be obtained.

**PERMITS**

Permits from Otter Tail County Land & Resource Management (218.998.8095) are required for:

- Removing dead trees and stumps in the exposed shoreline
- Earth moving or reshaping the landscape in the exposed shoreline
- Installing or repairing rip-rap above the OHWL in the exposed shoreline
- WOAS relocation
- Beach sand blanket above the OHWL
- Septic system repair or replacement

Permits from the Minnesota Department of Natural Resources (218.739.7576) are required for:

- Installing or repairing rip-rap below the OHWL
- Shoreline reclamation
- Beach sand blanket below the OHWL

East Otter Tail County Soil & Water Conservation District (218.346.2050)

- Rain garden installation technical assistance
- Buffer area installation technical assistance
- Erosion control technical assistance



**LMKP/DLD MORATORIUM**  
**Otter Tail County Resolution No. 2019 - 54**

Commissioner Rogness offered the following and moved its adoption:

WHEREAS, Otter Tail County is the regulatory authority for all shoreland areas in Otter Tail County.

WHEREAS, the water levels at Little McDonald Lake, Paul Lake, Kerbs Lake and Devils Lake have been above the ordinary high-water level.

WHEREAS, the LMKP/DLD outlet project began operation in November 2018 to allow Little McDonald Lake, Paul Lake, Kerbs Lake and Devils Lake to return to their natural ordinary high-water level, AND

WHEREAS, the Otter Tail County Board of Commissioners believes a methodical approach to shoreline restoration is prudent only once the water level has been drawn down to near the Ordinary High-Water Level (OHWL).

NOW, THEREFORE, BE IT RESOLVED, a moratorium on the issuance of lot alteration permits and conditional use permits is in effect until the initial drawdown brings the elevation of each lake to within 12 inches of its OHWL.

Exceptions to this moratorium include the following:

1. Any permit that is not related to shoreline restoration.
2. Projects approved by the SWCD in accordance with the Shoreland Management Ordinance.

Once each lake's water surface has been drawn within an elevation range from 12 inches above its OHWL to its OHWL, a Special Permit is in effect with the following conditions:

1. Conditional Use Permits will not be required for work related to restoration of exposed shoreline.
2. Land & Resource Management staff may issue permits for any shoreline restoration.
3. The Special Permit requires a landowner to apply for a Lot Alteration Permit from Land & Resource Management for a permit fee of \$250 per permit.
4. The Special Permit is available to a homeowner only one time. If a permit is obtained by a homeowner and the permit expires, the homeowner then must go through Planning Commission to obtain a permit.

This Resolution supersedes Otter Tail County Resolution No. 2018-68

Commissioner Johnson seconded the resolution and, upon being put to vote, the resolution was unanimously adopted this 16th day of July 2019.

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
Douglas Huebsch, Chair

Attest: \_\_\_\_\_  
John Dinsmore, Clerk